

REMARKS

Claims 1, 2, 4-6, 8-17 and 19-24 are at issue.

Applicant has amended the application further to the August 4, 2010 telephone interview with the Examiner (summarized in the Interview Summary mailed August 11, 2010), such that the application is now believed to be allowable.

Specifically:

1. Applicant has herein deleted the previously added paragraphs (on page 4, after line 22). While Applicant does not believe that this constituted new matter, Applicant has removed it given the Examiner's indication in the telephone interview that he recognizes that the "hydroxyl protective group" language in the claims is not indefinite.
2. Given the recognition of the sufficiency of the "hydroxyl protective group" recitation in the claims, Applicant has similarly deleted the language in claim 1 (which added reference to the language now removed from the specification) which was both objected to and formed the basis of a 35 U.S.C. 112 rejection.
3. Claim 1 has been amended to clarify Z'. The prime of Z' was inadvertently omitted in the formulas for A2 and A3, apparently as a result of a printing error in prior amendments. That error has been corrected herein, so that the formulas for A2 and A3 now conform to the formulas as presented in claim 1 when filed, both including a Z'.
4. Claim 1 has also been amended to clarify R by moving the recitation of "an -OR protected hydroxyl group, wherein R is a hydroxyl protective group" to the end of the last paragraph, and also amended to remove the comma from that phrase.

While the Examiner is correct that the formulas I, A2 and A3 do not include "R" specifically, R is recited in the last paragraph of claim 1 as being a part on one listed choice for R₁, R₂ and R₃, all of which do appear in formulas A2 and A3. While it is submitted that the original language was sufficiently clear, this amendment to claim 1 more clearly recites the intended meaning, namely that R₁, R₂ and R₃ are selected from the listed items, *one of which* (now last in the list) is "an -OR protected hydroxyl group". The further language ("wherein R is a hydroxyl protective group") simply further defines what R of "-OR" of the last listed possible selection is.

In view of the above, claims 1, 2, 4-6, 8-17 and 19-24 are believed to be allowable. Early notification to that effect is respectfully requested.

If the Examiner has any questions and believes that a telephone conference would help facilitate the prosecution of this application, he is invited to contact the undersigned at the indicated direct phone line.

Respectfully submitted,

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By _____
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